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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,159	12/21/2001	Douglas Deeds	NC25636 (NOKI15-25636)	5211
30973	7590	05/27/2004	EXAMINER	
SCHEEF & STONE, L.L.P. 5956 SHERRY LANE SUITE 1400 DALLAS, TX 75225			BACKER, FIRMIN	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 05/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/029,159	Applicant(s) DEEDS ET AL.	
	Examiner Firmin Backer	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 16th, 2004 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 21-35 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Shin et al (U.S. PG Pub No. 2002/0010698).

4. As per claim 21, Shin et al teach a method for providing selected content selected from a plurality of content stored at a network-based device (*locking server 20 in network/mobile device, 41 Fig 2A, 4*) to a wireless mobile device (*destination server, mobile device, 42, fig 4*) to be operated upon at the wireless mobile device pursuant to a selected locking requirement

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(*locking condition, fig 2B*) that is determinative of use of the selected content at the wireless mobile device until the locking requirement is met (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*), said method comprising receiving at the network-based device an indication of selection of which of the plurality of content is to form the selected content presenting at least a first locking requirement associated with the selected content (*see paragraphs 0024, 0025, 0029*), the indication of selection of which is received during said operation of receiving; and selectably providing the selected content to the wireless mobile device together with the at least the first locking requirement to permit the selected content to be operated upon pursuant to at least a selected one of the at least the first locking requirement (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

5. As per claim 22, Shin et al teach a method further comprising the operations of storing the selected content, once provided during said operation of selectably providing, to the wireless mobile device, at the wireless mobile device, operating upon the selected content at the wireless mobile device in accordance with the selected one of the at least the first locking requirement (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

6. As per claim 23, Shin et al teach a method further comprising the operation, at the wireless mobile device, of determining when the selected one of the first locking requirement is met (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

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7. As per claim 24, Shin et al teach a method further comprising the operation subsequent to said operation of determining of unlocking the selected content data to release the selected content out of the selected one of the at least the first locking requirement (*see paragraphs 0024, 0025, 0029*).

8. As per claim 25, Shin et al teach a method further comprising the operation of notifying the network-based device of determination made during said operation of determining that the selected one of the first locking requirement is met (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

9. As per claim 26, Shin et al teach a method further comprising the operation of dispensing a reward to a user associated with the wireless mobile device subsequent to notifying the network based device during said operation of determining (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

10. As per claim 27, Shin et al teach a method wherein said operations of presenting and selectably providing are performed by sending a message from the network-based device to the wireless mobile device that contains both the selected content and the at least the first locking requirement (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

11. As per claim 28, Shin et al teach a method wherein the at least the first requirement provided during said operation of sending comprises a plurality of locking requirements, said

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method further comprising the operation, subsequent to said operation of sending, of selecting, at the wireless mobile device, a selected one of the plurality of locking requirements (*see paragraphs 0024, 0025, 0029*).

12. As per claim 29, Shin et al teach a method wherein said operation of presenting comprises sending the at least the first locking requirement to the wireless mobile device and wherein said method further comprises the operation of selecting, at the wireless mobile device, a selected one of the at least the first locking requirement (*see paragraphs 0024, 0025, 0029*).

13. As per claim 30, Shin et al teach a method further comprising the operation of notifying the network-based device of selection made during said operation of selecting of the selected one of the at least the first locking requirement (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

14. As per claim 31, Shin et al teach a method wherein said operation of selectably providing is performed subsequent to said operation of notifying (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

15. As per claim 32, Shin et al teach a method wherein the at least the first locking requirement selectably provided during said operation of selectably providing together with the selected content comprises the selected one of the at least the first locking requirement (*see paragraphs 0024, 0025, 0029*).

16. As per claim 33, Shin et al teach a method wherein the selected content of the plurality of content comprises advertising content and wherein said method further comprises the operation of displaying the advertising content at the wireless mobile device according to the at least the first locking requirement (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

17. As per claim 34, Shin et al teach a method wherein the at least the first locking requirement comprises a manner by which to display the advertising content in human perceptible form (*see paragraphs 0024, 0025, 0029*).

18. As per claim 35, Shin et al teach a wireless mobile device operable in a radio communication system, an improvement of apparatus for operating upon selected content selected from a plurality of content stored at a network-based device and delivered to the wireless mobile device, said apparatus comprising a content manager embodied at the wireless mobile device, said content manager for managing the selected content once delivered to the wireless mobile device, management of the selected content provided by said content manager comprising selectably locking the selected content pursuant to a locking requirement, determining when the locking requirement is met, and unlocking the selected content when the locking requirement is determined to have been met (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

Response to Arguments

19. Applicant's arguments filed April 16th, 2004 have been fully considered but they are not persuasive.

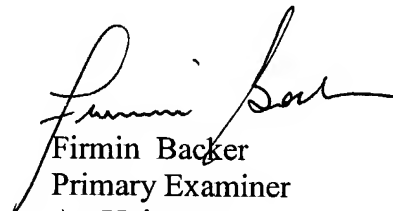
a. Applicant amendment the claim to disclose permitting a user of the wireless mobile device to select locking requirements of content that is provided to the wireless mobile device. Applicant argues that the manner the claims have been amended is believed to distinguish better the invention of the present application over the cited reference. Examiner respectfully disagrees with Applicant arguments. The prior art (Shin et al) teach a method of applying locking function to a text message transmitted and/or received between mobile phones connected by a mobile communication network. Shin et al further teach a user who intends to transmit the text message selects a desired locking function among one or more locking functions and inputs locking condition information on the selected locking function, and attaching locking function indicating information and the locking condition information to the text message. Then transmitting text message to a receiver's mobile phone via the mobile communication network. Checking whether the text message has the locking function set thereto if the text message received in the receiver's mobile phone is intended to read, receiving the locking condition information on the locking function or determining locking condition information if the locking function is set to the text message, and displaying the text message on the screen of the receiver's mobile phone only when the locking condition information is identical with that attached to the text message.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Firmin Backer
Primary Examiner
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May 20, 2004